

**Minutes of Meeting  
CONWAY BOARD OF SELECTMEN**

August 7, 2007

The Selectmen's Meeting convened at 4:10 p.m. in the Meeting Room of Conway Town Hall with the following present: Selectmen Larry Martin (Chair), David Weathers, Gary Webster, Mark Hounsell and Howard C. Dickinson; Town Manager, Earl W. Sires; and Recording Secretary, Karen Hallowell

PLEDGE OF ALLEGIANCE

Chairman Weathers led the Board in the Pledge of Allegiance to the Flag.

SIGNING OF DOCUMENTS

The Board reviewed and signed various documents contained in the signature folder.

CONSIDERATION OF BILLS

The Board reviewed and signed the manifest dated May 24, 2007.

CONSIDERATION OF MINUTES

**Mr. Webster moved, seconded by Mr. Hounsell, to approve the non public minutes of 5/15/07 and the regular meeting minutes of 5/29/07 as written. The motion carried unanimously.**

PUBLIC HEARING: UNANTICIPATED REVENUE: \$90,911.71 FROM THE STATE OF NEW HAMPSHIRE TO THE TOWN OF CONWAY; AND \$2,062.26 FROM THE STATE OF NEW HAMPSHIRE TO THE TOWN OF CONWAY

Mr. Weathers opened the public hearing regarding unanticipated revenue at 4:12 p.m.

Mr. Sires explained that the Town received FEMA payments in the amounts of \$90,911.71 and \$2,062.26. The funds were received due to recent storm damage that occurred to the south east end of town.

There were no questions or comments from the public and the public hearing was closed.

**Mr. Webster moved, seconded by Mr. Martin, that we accept unanticipated revenue in the amount of \$90,911.71 from the State of New Hampshire to the Town of Conway and the designated use is a detailed in the FEMA attachments. The motion carried 5-0-0.**

**Mr. Dickinson moved, seconded by Mr. Martin, that we accept unanticipated revenue in the amount of \$2,062.26 from the State of New Hampshire to the Town of Conway and the designated use is a detailed in the FEMA attachments. The motion carried 5-0-0.**

CONSIDERATION OF ACID COMMITTEE RECMENDATION REGARDING  
PITTSFIELD AQUEDUCT COMPANY/PENNICHUCK WATER WORKDS LARGE  
WATER WITHDRAWAL PROPOSAL

Mr. Dickinson reported to the Board on the ACID Committee's recommendation that this Board write to the State regarding the Birch Hill water matter. **Mr. Dickinson moved, seconded by Mr. Hounsell, that the Board of Selectmen write to the Governor and Council expressing our support for the \$1.8 million revolving loan fund application to supply water to Birch Hill.** Mr. Hounsell suggested that the Board put in the letter our gratefulness for the time extended and that there would be no further benefit for a further postponement. There was further discussion. Mark also felt that the Board should go on record as opposing the commercial well and would be making a separate motion. **The motion carried 5-0-0.** The Board agreed the Selectboard Chair would sign the letter. Mr. Hounsell noted that the letter should be sent before the 22<sup>nd</sup>.

**Mr. Hounsell moved, seconded by Mr. Dickinson, that the Board of Selectmen write to the Governor and Council and tell them that we oppose the citing of a commercially owned well on West Side Road as part of the upgrade of the Birch Hill water system.** Mr. Webster stated he feels they need a chance to look at their alternatives. There was discussion. **Mr. Dickinson moved to table the motion. The motion to table failed 1-4-0 (Mr. Dickinson in the affirmative and Messrs Webster, Martin, Hounsell and Weathers in the negative. Mr. Webster moved the question. The motion to move the question carried 4-1-0 with Messrs. Dickinson, Webster, Martin and Weathers in the affirmative and Mr. Hounsell in the negative.** A vote proceeded on the motion made by Mr. Hounsell and the **motion carried 3-2 with Messrs. Dickinson, Martin and Hounsell voting in the affirmative and Messrs Webster and Weathers voting in the negative.**

Mr. Hounsell next spoke stating he feels it is important for Paul DegliAngeli to be involved in this process because of roads, constructions, upgrades etc.

**Mr. Dickinson moved for reconsideration, seconded by Mr. Martin.** Mr. Dickinson asked the Board members who voted in the negative to reconsider their vote on Mr. Hounsell's motion. Mr. Dickinson stated if it is tabled it doesn't cloud it and there will be further time to discuss. The motion for reconsideration **carried 4-1-0 with Messrs. Dickinson, Webster, Martin and Weathers in the affirmative and Mr. Hounsell in the negative.**

**Mr. Dickinson moved, seconded by Mr. Webster, to table the motion made regarding commercial well drilling. The motion carried 3-2 with Messrs Dickinson, Webster and Weathers in the affirmative and Messrs. Martin and Hounsell in the negative.**

**Mr. Hounsell moved, seconded by Mr. Dickinson, to instruct town staff to get involved with North Conway Water Precinct and Pennichuck in the planning process to resolve the Birch Hill Water system issue. The motion carried 5-0-0.**

PARKING IN NORTH CONWAY VILLAGE

Business owner, Bob Waldo, joined the meeting. Mr. Waldo advised he would like to discuss parking in front of his business, Expressions, in North Conway Village. Mr. Waldo advised he used to have more street parking in front of his business and he

has recently lost parking spaces. Mr. Waldo reviewed the number of regular and handicapped parking spaces in the area of his business with the Board. Mr. Waldo next complained of a taxi business that also uses some of the parking spaces by his business and also suggested they are running a business out of the apartments next to his business. Mr. Waldo next complained of a crosswalk that is located in front of his business and stated he feels this takes up parking space as well. Mr. Waldo further went on to state that he feels that the handicap parking spaces across the street are useless and should be regular spaces.

Public Works Director, Paul DegliAngeli, reviewed the criteria for parking spaces with the Board and Mr. Waldo. Mr. DegliAngeli reviewed that parking has to be a certain distance from crosswalks. Mr. DegliAngeli also reviewed that the crosswalks were shown on the plans by the Village Association and there were public hearings regarding these issues.

Mr. Waldo next requested the crosswalk near his business be moved. There was discussion by the Board.

**Mr. Hounsell made motion, seconded by Mr. Dickinson, to instruct Town Staff to put two parking spots on the west side of the Road (Route 16).** Mr. DegliAngeli advised that putting two spaces at this location would be directing the public works department to do something that does not comply with the law. Mr. Sires suggested that it would make sense to take a look at some things we could do in the area of the business that would comply with state guidelines otherwise the town will fall back into where it was before the improvements were made and it was unsafe. Mr. Sires recommended looking at other things to do in this area and also to put in a cross hat in this area so that no one parks in this area. Mrs. Waldo was in the audience and stated that she is concerned when people back out of the driveway and it is right at the crosswalk and she feels the crosswalk should be moved to in front of the apartment building. A vote was taken and the **motion failed 2-3-0.**

**Mr. Martin moved, seconded by Mr. Hounsell, to direct town staff to do a study to look into the effects of relocating the crosswalk to the east side of the bank.** Mr. Martin asked staff to look into this and report back. **The motion carried 4-1-0 with Mr. Hounsell in the negative.**

#### REQUEST FOR ADDITIONAL PARKING ON WILDER STREET (3 SPACES)

Librarian, Margaret Marschner, joined the meeting. Ms. Marschner advised she was present today to discuss the need for more parking at the Library with the Board. Ms. Marschner advised they presently have fourteen parking spaces on the inside lot including one handicapped space, and nine parking spaces on the street. The Library would like to add three parking spaces on Wilder Street. Public Works Director, Paul DegliAngeli, advised the minimum standard is 26 feet and Wilder is 29 feet.

The Board held a discussion with the Ms. Marschner and Mr. DegliAngeli concerning parking at the Library. The idea of cutting into the berm on the side of the library was discussed as well as the idea of using space where the island is located out front of the library. It was generally agreed that Ms. Marschner should take these ideas back to the Library Board. **Mr. Weather moved, seconded by Mr. Dickinson, to direct the Library Board of Directors to look into the feasibility of cutting into the banking to cutting into the island. The motion carried 4-1-0.**

REVIEW AND CONSIDERATION OF AMENDMENTS TO  
LOSS PREVENTION AND SAFETY PROGRAM MANUAL

Mr. Sires reviewed the Board recently reviewed amendments to the Loss Prevention and Safety Program Manual. Mr. Sires advised the Library and Police Department has reviewed same and is in agreement with the changes made as well. Librarian, Margaret Marschner, concurred. **Mr. Martin moved, seconded by Mr. Dickinson, that we approve the Loss Prevention and Safety Program Manual. The motion carried unanimously.**

REVIEW AND CONSIDERATION OF PROPOSED  
AMENDMENTS TO NON UNION PERSONNEL MANUAL

Mr. Sires reviewed proposed changes to the Non Union Personnel manual with the Board as previously discussed. **Mr. Webster moved, seconded by Mr. Martin, to accept the changes to the Non Union Personnel Manual. The motion carried unanimously.**

REVIEW AND CONSIDERATION OF PROPOSED CHANGES TO SPECIAL EVENT  
PERMIT APPLICATION, PROCEDURES AND REQUIREMENTS

Mr. Sires distributed a copy of proposed changes to the Special Event Permit Application, Procedures and Requirements and reviewed same with the Board.

Mr. Sires reviewed and discussed the definition of a special event with the Board. Mr. Sires reviewed that all events are different and we need to find a way to keep a handle on events without over regulating them. Mr. Sires further pointed out that information concerning event fees, electrical fees and portable toilet fees have been added or revised and need consideration.

The Board agreed to further review the information and discuss same at a future meeting.

REVIEW AND CONSIDERATION OF CONDITIONAL LICENSE AGREEMENT  
BETWEEN THE TOWN OF CONWAY AND SKIDS CORNER, INC.

Mr. Sires reviewed a proposed Conditional License Agreement between the Town of Conway and Skids Corner, Inc., with the Board. (Copy attached). Mr. Sires reviewed there was an agreement signed a few years ago and now changes have been made at the corner and are reflected in this proposed Agreement. **Mr. Martin moved, seconded by Mr. Hounsell, that we approve and forward the Conditional License Agreement for Skids Corner, Inc.** The Board indicated they would like to have it signed by Skids Corner and then the Board will sign the Agreement when it is returned by Skids Corner, Inc. **The motion carried 5-0-0.**

TOWN MANAGER REPORT

Revolving Loan Funds – Mr. Sires reported on the Town's revolving loan funds, police, solid waste and recreation. Mr. Sires reviewed the amounts in the funds. **Mr. Hounsell moved, seconded by Mr. Dickinson, that the town staff be authorized to spend up to \$40,000 to meet operating expenses of the Recreation Department from the Revolving Loan Fund and any additional expenditures that may be required come before the Board.** Mr. Webster state he thinks we need to get into

budget season before doing this. There was brief discussion. **Mr. Dickinson withdrew his second and Mr. Hounsell withdrew his motion.**

Public Health Regionalization Task Force - Mr. Sires reported he attended the first meeting of the Public Health Regionalization Task Force. Mr. Sires reported the committee has broadened the scope of items they will cover. He would be happy to stay with the Committee if the Board would like him to continue with the meetings; however, it is not what he thought he was getting involved with at the onset. Mr. Sires advised he would keep the Board posted as to whether it makes sense to keep attending. The Board agreed.

Town Hall Security Review – Mr. Sires reported that Butch Burbank of the Local Government Center came to Conway and did a review of Town Hall security. Mr. Burbank had some good ideas and he will be putting them into a report and forwarding same to the Town. Mr. Sires advised when the report is received he will bring same to the Board for review.

Emergency Management – Mr. Sires reported there is a Full scale planning meeting, Friday, August 10, 2007.

#### BOARD REPORTS AND COMMENTS

Agenda Item – Mr. Martin requested that today's agenda Item #17 (Non-Public Session: RSA 91-A:3,II(a)/Town Manager Review) be postponed to the next meeting. The Board Agreed.

Birch Hill Water – Mr. Hounsell commented on the motion made in the Birch Hill matter earlier in the meeting, stated that the motion was important and he feels doing this was the right thing.

Conservation Commission – Mr. Weathers reported the Conservation Commission's monthly meeting will be held tomorrow, August 8, 2007, at 6:30 pm at the Whitaker Homesite. Mr. Weathers further reported that notification was received today that the Town had been selected to receive the Tree Farm of the year award for the state of New Hampshire. Paul Pinkham and he will be attending a ceremony in Bethlehem, New Hampshire on September 22, 2007 to accept the award.

#### PUBLIC COMMENTS / MEDIA QUESTIONS

Conway Daily Sun Reporter, Tom Eastman, asked the Board if they had received any response to the letter written recently concerning Evergreen Properties. Mr. Sires advised that Jay Waterman advised he will be going to the Planning Board and will let the Board of Selectmen know when this is scheduled. Mr. Eastman also asked the Board for comments on their current position regarding the project and the Board reviewed same.

#### NON PUBLIC SESSION / RSA 91-A,II(a) / TOWN MANAGER REVIEW

The Board agreed to re-agenda this non public session for the next meeting.

ADJOURN

**Mr. Webster moved, seconded by Mr. Dickinson, to adjourn the meeting. The motion carried unanimously.** The meeting adjourned at 6:45 p.m.

Respectfully submitted,

Karen J. Hallowell  
Executive Secretary